

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ALABAMA, EASTERN DIVISION**

In re:

Mark Powers & Company, Inc.
Debtor(s)

**Case No. 21-40264-JJR7
Chapter 7**

AP No. 22-40006-JJR

Rocco J Leo, as Trustee
Plaintiff(s)

vs.

Continental Republic Capital LLC
CHTD Company
On Deck Capital, Inc
Defendant(s)

SUMMONS IN AN ADVERSARY PROCEEDING

YOU, On Deck Capital, Inc, ARE SUMMONED and required to file a motion or answer to the complaint which is attached to this summons to the Clerk of the Bankruptcy Court within 30 days after the date of issuance of this summons, except that the United States and its offices and agencies shall submit a motion or answer to the complaint within 35 days.

Address of Clerk:	United States Bankruptcy Court 1129 Noble Street, Room 117 Anniston, AL 36201
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At the same time, you must also serve a copy of the motion or answer upon the plaintiff's attorney.

Name and Address of Plaintiff's Attorney:	William Dennis Schilling PO Box 55147 Birmingham, AL 35255-5147
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If you make a motion, your time to answer is governed by Fed. R. Bankr. P. 7012.

**IF YOU FAIL TO RESPOND TO THIS SUMMONS, YOUR FAILURE WILL BE DEEMED TO BE YOUR
CONSENT TO ENTRY OF A JUDGMENT BY THE BANKRUPTCY COURT AND JUDGMENT BY
DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.**

Dated: May 19, 2022



Joseph E. Bulgarella, Clerk
United States Bankruptcy Court

By: /s/ Sheatha Gibson

CERTIFICATE OF SERVICE

I, William Dennis Schilling, certify that service of this summons and a copy of the complaint was made 5-20-22 by:

- Mail Service: Regular, first class United States mail, postage fully pre-paid, addressed to:

On Deck Capital, Inc.
Attn: David Fisher, CEO
1400 Broadway, 25th Floor
New York, NY 10018

On Deck Capital, Inc.,
c/o CT Corporation System, its registered agent
28 Liberty Street, 25th Floor
New York, NY 10005

Mr. Jason Khano
Attorney for On Deck Capital, Inc.
12 Powder Springs Street, Suite 240
Marietta, GA 30064

- ☐ Personal Service: By leaving the process with defendant or with an officer or agent of defendant at:
- ☐ Residence Service: By leaving the process with the following adult at:
- ☐ Certified Mail Service on an Insured Depository Institution: By sending the process by certified mail addressed to the following officer of the defendant at:
- ☐ Publication: The defendant was served as follows: [Describe briefly]
- ☐ State Law: The defendant was served pursuant to the laws of the State of _____, as follows: [Describe briefly]

If service was made by personal service, by residence service, or pursuant to state law, I further certify that I am, at all times during the service of process was, not less than 18 years of age and not a party to the matter concerning which service of process was made.

Under penalty of perjury, I declare that the foregoing is true and correct.

Date 5-20-22

Signature /s/William Dennis Schilling
William Dennis Schilling
Attorney at Law
P. O. Box 55147
Birmingham, AL 35255-5147